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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,068	11/01/2000	Francis Robert Burianek	06576.105025- MS No 15051	3938
20786	7590	01/06/2005	EXAMINER	
KING & SPALDING LLP 191 PEACHTREE STREET, N.E. ATLANTA, GA 30303-1763			LIN, WEN TAI	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/704,068

Applicant(s)

BURIANEK ET AL.

Examiner

Wen-Tai Lin

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

1. Claims 1-18 are presented for examination.
2. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.

### ***Claim Rejections - 35 USC § 103***

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Retallick [U.S. Pat. No. 6006215].
4. Retallick was cited in the previous office action.
5. As to claims 1 and 4, Retallick teaches the invention substantially as claimed including: a method of making a delegation of a task comprising the steps of:
  - sending a signal from a first resource client [e.g., the user who creating a delegated task] to a server [30, Fig.3A; col.10, lines 28-35; i.e., the process including the activity manager (col.1, lines 7-14) and/or the task delegation module (col.6, lines 61-64) is a server] indicating that the task is being delegated to a second resource client [col.4, lines 1-15 and 51-52; note that information or

Art Unit: 2154

signal are generated as a result of creating/assigning the task with the task delegation module]; and

- sending a record of the task delegation from the server to a storage medium [col.4, lines 16-19; col.7, lines 43-51; i.e., all the activities/events are recorded in databases].

Retallick does not specifically teach that the server is separated from a project manager client and therefore it is not required to sending the task delegation information from the server to the second resource client and to a project manager client [see col.7, line 2-28; e.g., the task delegation module has the capability of analyzing a user's workload and availability for newly delegated data].

However, in a workflow environment upon which Retallick's system is based, it is well known that workers are situated in a management hierarchy wherein various levels of managers are in place for approving documents and/or delegation of rights. It would have been obvious to one of ordinary skill in the art at the time the invention was made to further single out project manager clients in Retallick's system for monitoring the resource clients' availability and for approving or rejecting the delegation because by doing so it would make Retallick's system more directly imitating a real working environment [see col.1, lines 33-47, wherein the officers refers to various levels of managers in real working environment].

6. As to claims 2-3, Retallick further teaches that the second resource client may accept or reject the task delegation, depending the availability of the second resource

Art Unit: 2154

client [col.6, line 61 – col.7, line 10], wherein the steps depicted in claim 3 are obvious because a separate project manager client would then need to inform the database subsystem of its decision so as to update the task assignment status.

7. As to claim 6, Retallick further teaches that a Contact record can be modified or added to as new information requires updates to older information [col.13, lines 39-46]. As such, the detailed steps depicted in this claim are obvious in view of a separate project manager client and server.

8. As to claim 7, Retallick further teaches that approval of the task delegation by the project manager client is automatic [col.4, line 53 – col.5, line 62].

9.

10. As to claims 5 and 8, since the features of these claims can also be found in claims 1-4 and 6-7, they are rejected for the same reasons set forth in the rejection of claims 1-4 and 6-7 above.

11. As to claim 9, Retallick teaches that Topics and Subtopics are so similar, wherever Topics are mentioned herein, it is to be understood that the statement applies to Subtopics as well, unless otherwise stated [col.2, lines 29-40]. Accordingly, the steps depicted in claims 1-7 are applicable to claims 9-15 [it is noted that the second resource client of claims 15 is equivalent to the project manager client of claim 1].

Art Unit: 2154

12. As to claims 10-18, since the features of these claims can also be found in claims 1-9, they are rejected for the same reasons set forth in the rejection of claims 1-9 above.

13. Applicant's arguments filed on 9/27/04 for claims 1-18 have been fully considered but they are not deemed to be persuasive.

14. Applicant argues in the remarks that:

(i). Retallick does not teach using a server to delegate a task from one resource to another (e.g., a delegatee and a project manager).

(ii). The motivation to combine or extend prior art references under 35 USC 103(a) lacks support from Retallick.

15. Examiner respectfully disagrees with applicant's remarks:

1. As to point (i): Retallick clearly teaches an activity manager with capability of delegating task (i.e., task delegation module) and the software is deployed in a website (see 30, Fig.3A and col.10, lines 28 – 40), wherein the activity manager has been referred to as a server in the previous office action.

2. As to point (ii): In using the computer software/system that Retallick invented, Retallick clearly teaches a plurality of roles including users who create tasks (see e.g., col.3, lines 57-62; col.4, line 1-15), senders who delegate tasks (see e.g., col.6, lines 61-64) and recipients who response to delegation of tasks (see e.g., col.6, line col.7,

Art Unit: 2154

line 10). Although Retallick does not clearly teach that the server also sends task information to a project manager, Retallick does teach that the system could be deployed in a business environment wherein officers (e.g., project managers), employees and agents are potential users (see col.1, lines 33-47). Thus, it is asserted that the motivation for combination in the 103(a) rejection is well supported by Retallick.

16. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

17. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

**Examiner note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are

Art Unit: 2154

applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the contest of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00) .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)872-9306 for official communications; and

(571)273-3969 for status inquires draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



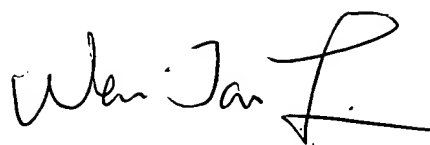
Application/Control Number: 09/704,068

Page 8

Art Unit: 2154

Wen-Tai Lin

January 4, 2005

A handwritten signature in black ink, appearing to read "Wen-Tai Lin". The signature is fluid and cursive, with a large, stylized "L" at the end.

1/4/05